

and its label failed to bear a statement of the quantity or proportion of chloroform therein, since the statement "contains not more than $\frac{1}{2}$ minim of Chloroform" was incorrect as applied to an article containing $\frac{1}{8}$ minim of chloroform in each tablet.

DISPOSITION: September 30, 1948. Default decree of condemnation and destruction.

2592. Misbranding of Therm-Massage Infra-Red Heat Applicator. U. S. v. 288 Cartons * * *. (F. D. C. No. 23881. Sample No. 12116-K.)

LITEL FILED: October 30, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 2, 1947, by Sibert & Co., from East Orange, N. J.

PRODUCT: 288 cartons each containing 1 *Therm-Massage Infra-Red Heat Applicator*, together with a circular bearing the same name, at West Lawn, Pa. Examination showed that the device consisted of two pieces of molded bakelite, one serving as the handle and the other containing an electrically heated coil.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the carton label and in the circular were false and misleading since the device was not capable of fulfilling the promises of benefit stated and implied: (Carton) "Relieves Colds-Sinus Rheumatic Pains Muscular Aches & Pains Stiff Neck—Sore Throat Pains in Back * * * to improve circulation * * * Relieves Pain Quickly" and (circular enclosed in carton with device) "For Pain Relief * * * Infra Red Rays have the ability to penetrate tissue and bone to depth, with even diffusion of Heat throughout that depth * * * Heat Relieves Pain of almost any kind and soothes tortured aching nerves * * * This speeds up the body process of carrying off the poisons of fatigue and waste matter. It invigorates the entire system. It brings fresh food to the nerves and tissues. It stimulates your system to fight more vigorously those disease germs which find their way into the body. Stiff aching muscles become supple again * * * Pains in the Back * * * Also apply it to that area of the Spine directly adjacent or nearest to the area of pain * * * Headache * * * Relieves most headaches with startling speed, even Nervous Headaches in the cerebellum, or back of head * * * Muscular Aches & Pains * * * Penetrating Heat and Massage are the recognized agents which relax the muscles, relieve the pain and stimulate the blood circulation into carrying off those poisons of oxidation. Sinus * * * Aid nature in its' burden of carrying away the germ laden mucous secretions which congest the Sinus processes. Unblock those tiny canals. Colds * * * Therm-Massage aids in relieving discomfort and congestion. Stiff Neck * * * Sprains & Bruises * * * Therm-Massage can also be used to relieve Arthritis, Bursitis, Neuritis, Neuralgia, etc. * * * Heat relaxes the tiny muscles of the face, throat and neck, and thus aids in preventing the formation of wrinkles * * * speeding the removal and elimination of the waste products accumulated there, which so often are the real cause of sallow, muddy complexions and skin blemishes * * * Nature's way of preserving youth and beauty * * * scarcity of wrinkles * * *."

DISPOSITION: November 15, 1948. Sibert & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Federal Security Agency.